

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HOWARD MCCAY,

Plaintiff,

v.

JEREMY BOHANNON et al.,

Defendants.

CASE NO. C20-1212-MAT

ORDER SETTING TRIAL DATE
AND RELATED DATES

Having reviewed the Joint Status Report and Discovery Plan, Dkt. 11, submitted by the parties, the Court hereby sets this case for trial and orders the following pretrial schedule:

Event	Date
JURY TRIAL SET FOR 9:00 a.m. in Courtroom 12A on	10/25/2021
Length of trial	5 days
Deadline for joining parties	11/20/2020
Deadline for amending pleadings	12/18/2020
Disclosure of expert testimony under FRCP 26(a)(2) due	4/28/2021
Disclosure of rebuttal expert testimony under FRCP 26(a)(2) due	5/19/2021

1	All motions related to discovery must be filed by this date and noted for consideration no later than the third Friday thereafter (<i>see</i> LCR 7(d) or LCR 37(a)(2))	5/28/2021
2	Discovery to be completed by	6/28/2021
3	All dispositive motions must be filed by this date and noted for consideration no later than the fourth Friday thereafter (<i>see</i> LCR 7(d))	7/27/2021
4	Settlement Conference per LCR 39.1(c)(2) held no later than	8/26/2021
5	Mediation per LCR 39.1(c) held no later than	9/24/2021
6	All motions in limine must be filed by this date and noted for consideration no earlier than the third Friday after filing but no later than the Friday before the pretrial conference (<i>see</i> LCR 7(d)(4))	9/27/2021
7	Agreed LCR 16.1 Pretrial Order due	10/13/2021
8	Trial briefs, proposed voir dire questions, proposed jury instructions, deposition designations, and exhibits due by this date; Counsel are to confer and indicate with their submissions which exhibits are agreed to	10/18/2021
9	Pretrial conference scheduled for 9:30 a.m. in Courtroom 12A on	10/20/2021

15 The dates set forth in this order are firm dates that can be changed only by order of the
16 Court, not by agreement of counsel for the parties. The Court will alter these dates only upon
17 good cause shown. Failure to complete discovery within the time allowed is not recognized as
18 good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a
19 weekend or federal holiday, the act or event shall be performed on the next business day.

21 If the trial date assigned to this matter creates an irreconcilable conflict, counsel must
22 notify Deputy Clerk Kadya Peter in writing within ten (10) days of the date of this Order and
23 must set forth the exact nature of the conflict. A failure to do so will be deemed a waiver.
24 Counsel must be prepared to begin trial on the date scheduled, but it should be understood that
25 the trial may have to await the completion of other cases.

COOPERATION

As required by LCR 37(a), all discovery matters are to be resolved by agreement if possible. Counsel are also directed to cooperate in preparing the final pretrial order in the format required by LCR 16.1, except as ordered below.

EXHIBITS

The original and one copy of the trial exhibits are to be delivered to Judge Theiler's chambers five days before the trial date. Each exhibit shall be clearly marked. The Court hereby alters the LCR 16.1 procedure for numbering exhibits: Plaintiff(s)' exhibits shall be numbered consecutively beginning with 1; defendant(s)' exhibits shall be numbered consecutively beginning with the next number not used by plaintiff. Duplicate documents shall not be listed twice. Once a party had identified an exhibit in the pretrial order, it may be used by any party. Each set of exhibits shall be submitted in a three-ring binder with appropriately numbered tabs.

SETTLEMENT

If this case settles, plaintiff's counsel shall notify Kadya Peter at (206) 370-8420 or via e-mail at: Kadya_Peter@wawd.uscourts.gov, as soon as possible. Pursuant to LCR11(b), an attorney who fails to give the Deputy Clerk prompt notice of settlement may be subject to such discipline as the Court deems appropriate. The Clerk is directed to send copies of this Order to all parties of record.

Dated this 23rd day of October, 2020.



Mary Alice Theiler
United States Magistrate Judge